IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3877 of 2005

Between:

1 Pargi Thimma Reddy S/o Annamma
R/o Anugonda Village, Makthal Mandal, Mahaboobnagar District.
2 Anjanna @ Anji Reddy S/o Sanjanna
R/o Anugonda Village, Makthal Mandal, Mahaboobnagar District.

..... PETITIONERS

AND

1 The Land Acquisition Officer & Special Deputy Collector (LA) Unit PJP Gadwal, Mahaboobnagar District.
2 The Executive Engineer, ID PJP & LAR Division Gadwal, Mahaboobnagar District.
3 The Superintending Engineer, Circle-I, PJP Gadwal, Mahaboobnagar District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or order or direction more in the nature of Writ of mandamus directing the respondents to pay compensation for the structures in respect of the cattle sheds belonging to the petitioner situated in Sy. No. 114/2 and 109/1/2 of Anugonda Villgage, Makthal Mandal, Mahaboobnagar District which were acquired under submergence of priyadarshini Jurala Project along with the lands.

Counsel for the Petitioner:MR.P.NAGENDRA REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR LAND ACQUISITION

The Court at the stage of admission made the following :

ORDER:

Petitioners seeks a direction to respondents to pay the compensation for the structures in respect of the cattle sheds belonging to them situated in S.No.114/2 and 109/1/2 of Anugonda Villgage, Makthal Mandal, Mahaboobnagar District.

It is not in dispute that the agricultural lands situated in S.Nos.114/2 and 109/1/2, belonging to the petitioners, were acquired under Notification dated 10-03-1999 published under Section 4(1) of the Land Acquisition Act. In pursuance thereof, an award has also been passed on 31.07.1999. The only grievance of the petitioners is that in spite of the fact that they made a claim for compensation for the structures standing on their agricultural lands, the Land Acquisition Officer failed to consider the same. Hence this writ petition.

When the writ petition is taken up for consideration, it is brought to my notice by the learned counsel for petitioners that in an identical claim made by the other claimants in respect of land covered by the same notification dated 10.03.1999, this Court, in W.P.No.25804 and W.P.25805 of 1999, by orders dated 23.03.2003 directed the respondents to pay compensation to the petitioners therein for the structures in respect of cattle sheds which were standing at the time of acquisition of the agricultural fields of petitioners within two months from the date of receipt of the said order.

Learned Government pleader appearing for the respondents does not dispute the fact that the petitioners in the case on hand also stand on the same footing.

Accordingly, the writ petition is disposed of with a direction to the respondents to pay the compensation for the structures in respect of the cattle sheds which were standing at the time of acquisition of agricultural fields of petitioners within a period of two months from the date of receipt of this order. No costs.

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01.03.2005

Note : Furnish C.C. in one week.

(B/O)

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To

1 The Land Acquisition Officer & Special Deputy Collector (LA) Unit PJP Gadwal, Mahaboobnagar District.
2 The Executive Engineer, ID PJP & LAR Division Gadwal, Mahaboobnagar District.
3 The Superintending Engineer, Circle-I, PJP Gadwal, Mahaboobnagar District.

4 Two C.Cs to the G.P for Land Acquisition,High Court Buildings, Hyderabad (OUT).

5 2 CD copies.